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10/752,874

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EXAMINER

OYEBISI, OJO O

ART UNIT

PAPER NUMBER

3692

MAIL DATE

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07/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/752,874

Applicant(s)

SHARMA, DUSHYANT

Examiner

OJO O. OYEBISI

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

In the amendment filed on 05/08/2007, the following have occurred: claims 1-9, 11, 14-15 and 20 have been amended; claim 12 has been cancelled and claims 1-11 and 13-20 are pending in the application.

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
2. Claims 1-11, 13-14, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Remington et al (US PAT: 6,968,319) in view of Haseltine et al (Haseltine hereinafter, US PAT: 6578015).

**Re claims 1-5.** Remington discloses an electronic bill presentment and payment system, said system comprising: a database for storing data relating to a plurality of bills sourced from a plurality of billers, and corresponding to a plurality of consumers (i.e., The bill 128 and payment remittance information 130 are received at the network port.

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170 and stored in data memory 176 within a data structure 190. The data structure 190 has several data fields which contain information specified by the biller and other data fields reserved to hold data entered by the consumer. Some of the data fields are static or closed fields in that the consumer is prohibited from altering the data kept in those fields. Other data fields are dynamic or open fields which allow the consumer to supply the data or alter the existing data. The specific construction of the data structure 190 is defined by the biller, with the Fig. 6 construction being one possible example, see col.9 lines 11-60); a biller interface communicating with said database for allowing at least some of said plurality of billers to review and obtain reports in real time from data relating to said billers and status of said biller's bills stored in said database (see col.10 lines 7-20); a portal interface element communicating with said database for supporting a plurality of visual interfaces, each of said visual interfaces allowing a consumer to review and pay said consumer's bills; a consumer interface communicating with said database for allowing said consumer to change information in said database (see fig.7, 8, and 9, also see col.9 lines 11-60); and an authentication element communicating with said database for determining whether said consumer meets certain predetermined requirements before a new account is authorized to allow said consumer to access said database (see col.9 lines 59-64, also see col.8 lines 18-20) (see abstract). Remington does not explicitly disclose a conversion processor communicating with said database; said conversion processor adapted to convert data received from said plurality of billers into a format compatible with said database. However, Haseltine makes this disclosure (see the abstract, also see col.11 lines 30-

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65). Thus it would have obvious to one of ordinary skill in the art to combine the teachings of Remington and that of Haseltine in order to transform the data in a format appropriate for storage in the electronic bill presentment and payment database.

**Re claim 6.** Remington further discloses a system, further comprising: a biller authentication element communicating with said database , said biller authentication element adapted to authenticate each of said plurality of billers (see col.8 lines 34-38, also see col.8 lines 18-20).

**Re claims 7, 8.** Remington does not explicitly disclose a system, further comprising: a bill payment processor capable of communicating with a plurality of financial institutions to couple said financial institutions to said database to facilitate payment of bills.

However, Haseltine makes this disclosure (see fig.3 element 355). Thus it would have obvious to one of ordinary skill in the art to combine the teachings of Remington and that of Haseltine to remit the processed customer payments directly to the biller.

**Re claims 9-11.** Remington further discloses a method for electronic billing presentment and payment, said method comprising the steps of: storing data relating to a plurality of bills sourced from a plurality of billers, and corresponding to a plurality of consumers in a database (i.e., The bill 128 and payment remittance information 130 are received at the network port 170 and stored in data memory 176 within a data structure 190. The data structure 190 has several data fields which contain information specified by the biller and other data fields reserved to hold data entered by the consumer. Some of the data fields are static or closed fields in that the

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consumer is prohibited from altering the data kept in those fields. Other data fields are dynamic or open fields which allow the consumer to supply the data or alter the existing data. The specific construction of the data structure 190 is defined by the biller, with the Fig. 6 construction being one possible example, see col.9 lines 11-60); supporting a plurality of visual interfaces, each of said visual interfaces allowing a consumer to review and pay said consumer's bills; determining whether said consumer meets certain predetermined requirements before a new account is authorized to allow said consumer to access said database; communicating with said database for allowing said consumer to change information in said database; and allowing said consumer to pay bills from one of said visual interfaces (see fig.7, 8, and 9, see col.9 lines 11-60, see col.9 lines 59-64, also see col.8 lines 18-20) (see abstract). Remington does not explicitly disclose converting data received from said plurality of billers into a format compatible with said database. However, Haseltine makes this disclosure (see the abstract, also see col.11 lines 30-65). Thus it would have obvious to one of ordinary skill in the art to combine the teachings of Remington and that of Haseltine in order to transform the data in a format appropriate for storage in the electronic bill presentment and payment database.

**Re claim 13.** Remington further discloses a method further comprising the step of: allowing said consumer to input personal information that can be used to identify and authenticate said consumer (see col.9 lines 59-64, also see col.8 lines 18-20)

**Re claim 14.** Remington further discloses a method further comprising the step of: communicating by each of said plurality of billers; with said database for authenticating

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each of said plurality of billers (see col.8 lines 34-38, also see col.8 lines 18-20).

**Re claim 17.** Remington further discloses a method, further comprising the step of: allowing a biller to modify, online, the format in which a bill is presented to said consumer on said visual interface (i.e., The biller controls what information and the particular format that the bill is presented to the consumer. The bill may be formatted in a particular manner that allows the remittance information to seamlessly integrated with the biller's reconciliation process. The bill may define the nature, semantics, and format of other information/data items that the biller would like returned as part of the electronic remittance in addition to the standard data used to reconcile a statement. For example, the biller might like to collect from the consumer items of dispute, comments, advertising responses, response forms (e.g., signing up for a new service), purchasing (e.g., buying something advertised), and the like, see col.10 lines 7-20, also see abstract).

**Re claim 18.** Remington further discloses a method, further comprising the step of: allowing said consumer to modify, online, the format in which a bill is presented to said consumer on said visual interface (see col.9 lines 11-60).

**Re claim 19.** Remington further discloses a method, further comprising the step of: allowing said consumer to pay bills from a plurality of visual interfaces, wherein each of said visual interfaces resides on a different Internet Website (see fig.8 and 9, also see abstract).

**Re claim 20.** Remington further discloses a method for electronic billing presentment and payment, said method comprising the steps of: storing data relating to a plurality of

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bills sourced from a plurality of billers, and corresponding to a plurality of consumers in a database (i.e., The bill 128 and payment remittance information 130 are received at the network port 170 and stored in data memory 176 within a data structure 190.

The data structure 190 has several data fields which contain information specified by the biller and other data fields reserved to hold data entered by the consumer. Some of the data fields are static or closed fields in that the consumer is prohibited from altering the data kept in those fields. Other data fields are dynamic or open fields which allow the consumer to supply the data or alter the existing data. The specific construction of the data structure 190 is defined by the biller, with the Fig. 6

construction being one possible example, see col.9 lines 11-60); communicating with said database for authenticating each of said plurality of billers; allowing at least some of said plurality of billers to review and obtain reports in substantially real time from data relating to said billers and status of said biller's bills stored in said database (see col.10 lines 7-20); supporting a plurality of visual interfaces, each of said visual interfaces allowing a consumer to review and pay said consumer's bills (see fig.7, 8, and 9, also see col.9 lines 11-60); determining whether said consumer meets certain predetermined requirements before a new account is authorized to allow said consumer to access said database, said determining step including obtaining consumer credit information; allowing said consumer to input personal information that can be used to identify and authenticate said consumer wherein said input information is compared to said consumer credit information; communicating with said database for allowing said consumer to change information in said database; and allowing said



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consumer to pay bills from one of said visual interfaces (see col.9 lines 59-64, also see col.8 lines 18-20) (see abstract). Remington does not explicitly disclose converting data received from said plurality of billers into a format compatible with said database.

However, Haseltine makes this disclosure (see the abstract, also see col.11 lines 30-65). Thus it would have obvious to one of ordinary skill in the art to combine the teachings of Remington and that of Haseltine in order to transform the data in a format appropriate for storage in the electronic bill presentment and payment database.

**3. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Remington in view of Haseltine as in applied to claim 9 supra, and further in view of Schutzer (US PAT: 6,292,789).**

**Re claim 15.** Remington does not disclose a method further comprising the step of: allowing said consumer to inquire online about status of at least one bill, said inquiry being conveyed to particular billers. However, Schutzer makes this disclosure (see fig.20). Thus, it would have been obvious to one of ordinary skill in the art to combine the teachings of Remington and Schutzer to speed up bill presentment and payment process.

**Re claim 16.** Remington does not disclose a method, further comprising the step of: automatically notifying a biller when a consumer has paid a bill. However, Schutzer makes this disclosure (see col.15 lines 30-34). Thus, it would have been obvious to one of ordinary skill in the art to combine the teachings of Remington and Schutzer to speed up bill presentment and payment process.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1-11 and 13-20 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJO O. OYEBISI whose telephone number is (571) 272-8298. The examiner can normally be reached on 8:30A.M-5:30P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD E. CHILCOT can be reached on (571)272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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FRANTZY POINVIL  
PRIMARY EXAMINER

*Ac 3692*